

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: :
 :
OPENAI, INC., : 25-md-3143 (SHS) (OTW)
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 :
 : **ORDER**
This Document Relates To: :
23-CV-11195 :
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ONA T. WANG, United States Magistrate Judge:

The Court held a status conference for Case No. 23-cv-11195 on Tuesday, May 27, 2025, to discuss OpenAI’s deletion of ChatGPT output log data (the “Output Log Data Conference”).

For the reasons stated on the record:

- 1) The News Plaintiffs’ supplemental motion to compel OpenAI to preserve output log data (ECF Nos. 43, 44) is **GRANTED in part**.
- 2) The parties are directed to begin engaging in sampling of the 30-day tables of consumer output log data. OpenAI is further directed to submit a proposed order regarding the specific sampling process, consistent with the discussion on the record, by **June 6, 2025**. The proposed order should also set out timelines for completion.
- 3) The Times’s request for additional discovery or an additional 30(b)(6) deposition on the issue of preservation of output log data is **DENIED without prejudice to renewal** until after the parties have completed the sampling process.
- 4) Defendants’ motion for reconsideration of my May 13 Preservation Order is **DENIED**.

The Clerk of Court is respectfully directed to close ECF Nos. 43 and 44 in **Case No. 25-md-3143**.

SO ORDERED.

Dated: May 29, 2025
New York, New York

s/ Ona T. Wang
Ona T. Wang
United States Magistrate Judge